

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
SEPTEMBER 4, 2014, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

EXCUSED:

Councilmember Bette Arial

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Stevan Duke and the invocation was offered by Reverend Alex Wilkie. Mayor Pike mentioned the cleanup being done by many departments of the City that has been going on since the flooding last week.

Alisha Burton introduced Arts Commission members in the audience and presented grant checks to several arts organizations.

Mayor Pike explained the Recreation, Arts and Parks (RAP) tax that will be voted upon during this November's election. He read proclamations proclaiming September 11, 12 and 13, 2014 as Roudup Days, September 8-12, 2014 as Suicide Prevention Week, September 2, 2014 as Jimmie Hughes Day, and September 25, 2014 as Recovery Day.

COMMENTS FROM THE PUBLIC:

Andy Crane, who owns a mobile pressure washing business, stated that when he and his partner built their trailer, they made sure to comply with all of the Wastewater ordinances. Over the past year, he has been told by many individuals that they clean their trash cans in streets and are dumping their water down the drains. He has seen multiple youth groups, other pressure washing businesses and other individuals moving the debris from the last week's rain storm into already clogged gutters. He finds it disturbing that those doing this, are not aware that they are breaking the law.

City Manager Gary Esplin stated there are some storm water regulations that need to be met with the EPA. Although he does not have a good answer, he can do some research.

Mayor Pike stated that things are a bit different for businesses than they are for private individuals.

Mr. Crane said that it is not fair that his competitors do not comply.

City Manager Gary Esplin commented that businesses need to comply.

Mayor Pike asked Mr. Crane to let staff know when he sees this happening.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider a zone change request from A-1 and RE-12.5 to RE-20 on 46.67 acres located between 2580 East and 2790 East, north of 1300 South and the River Hollow Subdivision. MK Cox Development, applicant.

Planner Ray Snyder presented the request for a zone change. He showed an aerial as well as pictures of the area. Notice letters were sent to property owners. The plan is in harmony with the current General Plan of this area.

Mayor Pike opened the public hearing.

Todd Jones, resident of River Hollow, stated that he supports the zone change.

Clayton Fuller, adjacent property owner, asked if the proposed subdivision will substantially encroach on views of the existing homes.

Ray Snyder explained that tonight's item is simply a zone change. Historically, plats have not included view protection. That question cannot be answered until the plats come in for approval.

City Attorney Shawn Guzman stated that because this request is for a zone change, it is not known how the lots will be configured. Having large lots will give a large building envelope to place a home.

Mr. Snyder advised that notices will be sent out when the platting is done.

Councilmember Bowcutt inquired if the subdivision will be a part of the River Hollow HOA.

City Attorney Shawn Guzman stated that he is not sure if there is an HOA or if the CCR's are recorded with the lots.

Mayor Pike closed the public hearing.

MOTION: A motion was made by Councilmember Hughes to approve the zone change from A-1 and RE-12.5 to RE-20.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider approval of a professional services agreement with Rosenberg & Associates to perform environmental, design, and contractor bid documents for the Dixie Center Area Erosion Protection Project.

City Manager Gary Esplin advised the agreement is for the erosion protection project near the Dixie Center as well as getting the environmental approvals for the improvements that are necessary to protect the property and the utilities in the road. He recommends awarding the agreement to Rosenberg & Associates.

MOTION: A motion was made by Councilmember Bowcutt to approve the professional services agreement with Rosenberg & Associates to perform environmental, design, and contractor bid documents for the Dixie Center Area Erosion Protection Project.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for the Tonaquint Cemetery road extension.

Purchasing Manager Connie Hood recommended the bid be awarded to JP Excavating. She explained that the bid was for \$72,312.75 and they were the local low bidder.

City Manager Gary Esplin explained that the road will be a dedicated roadway.

MOTION: A motion was made by Councilmember Randall to approve the agreement with JP Excavating in the amount of \$72,312.75 for the Tonaquint Cemetery road extension.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

SERVICE CONTRACT:

Consider approval of the O&M service contract with GE International.

City Manager Gary Esplin explained that at that earlier this year, the existing O&M agreement at the Millcreek Generating Facility was terminated. An intern was hired to work for the Energy Services Department to assist during that time. Staff prepared an RFP and has seen good results,

Purchasing Manager Connie Hood recommended the contract be awarded to GE for the amount is \$68,400. There were three options proposed, staff opted for option 2 which does not include a full time tech advisor.

City Manager Gary Esplin stated that there is a need for further discussion before new personnel are authorized. Going with option 2 will save the City a substantial amount of money. Further, the savings will give the City an opportunity to hire an additional full time employee.

Energy Services Director Phil Solomon advised the cost of the contract is \$68,400 for the first year with a 3% escalation for the next two years. The current budget includes \$350,000 to pay GE for their services. The way the RFP was done, with option 1, it is almost \$280,000 to have a full time advisor with GE.

MOTION: A motion was made by Councilmember Hughes to approve the O&M service contract with GE International for the Millcreek Generation Facility for a three-year contract in the amount of \$68,400 with the increase.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for six ½ ton super cab trucks for the Parks Department.

Purchasing Manager Connie Hood advised the trucks are included in this year's budget. Larry Miller Ford was the low bidder at \$21,545 per truck for a total of \$129,270 which is below the budgeted amount.

MOTION: A motion was made by Councilmember Hughes to approve the bid for the service vehicles from Larry Miller Ford for a total of \$129,270.

SECOND: The motion was seconded by Councilmember Almquist.

Councilmember Bowcutt asked about an additional vehicle that is noted in the packet.

Ms. Hood explained that vehicle will be for the Facility Services, it is not included in this request.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for six 2015 Ford Interceptors for the Police Department.

Purchasing Manager Connie Hood advised that although St. George Ford was not the low bidder, however, since they were within the 5%, they were given the opportunity and have agreed to match the low bid of \$31,173 per vehicle for a total of \$187,038. The total amount was under the budgeted amount even with the additional items needed for the cars.

MOTION: A motion was made by Councilmember to award the bid to St. George Ford for the six new 2015 Ford Interceptors for the Police Department for \$187,038.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

Councilmember Almquist asked City Attorney Shawn Guzman, with regard to item 2C, if the advisor will be maintaining the equipment or are they simply there to monitor.

City Attorney Shawn Guzman commented staff will be working with GE to determine the scope of work and liabilities as they do with any contract.

Mayor Pike inquired if anyone in the audience is attending for the RDA public hearing.

FEE WAIVER:

Consider approval of a fee waiver for the use of Town Square for the Celebrating Service Festival. Rebekah Pectol, applicant.

Rebekah Pectol, with United Way Dixie, stated that they have granted over \$350,000 to seventeen different charities throughout the community this year. She thanked the Council for their support. To celebrate their 20th anniversary, they are hosting a

Celebrating Service Festival on September 27, 2014 at the Town Square and are requesting a fee waiver.

MOTION: A motion was made by Councilmember Almquist to approve the fee waiver for the use of Town Square for the Celebrating Service Festival.

Ms. Pectol mentioned that they are also asking the City to donate a stage base that can be used for the event.

AMENDED

MOTION: Councilmember Almquist added the stage to his motion.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

FEE WAIVER:

Consider approval of a special event fee waiver as well as a fee waiver for the use of Town Square for the Southwest Utah's Recovery Day Celebration. Neal Smith, applicant.

Angie Graff, with Southwest Behavior Health Center, stated that they will be hosting an event at the Town Square on September 24, 2014 and are requesting a fee waiver.

MOTION: A motion was made by Councilmember Randall to waive the special event fee as well as the fee for the use of the Town Square for the Southwest Utah's Recovery Day Celebration.

SECOND: The motion was seconded by Councilmember Bowcutt.

Mayor Pike asked that the park be cleaned up after the event.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

DEVELOPMENT AGREEMENT:

Consider approval of a development agreement amendment with Desert Canyons Development, Inc. regarding Desert Canyons Park.

City Manager Gary Esplin advised this amendment would extend a provision within the development agreement with Desert Canyons Development for four months. When the development agreement was written, there was a provision in which the developer was required to dedicate a 10-acre park site to be dedicated as part of their project by a certain date. The developer is not ready to do so; therefore, they have requested a four-month extension.

MOTION: A motion was made by Councilmember Hughes to approve the amended agreement with Desert Canyons Development, Inc. for the time extension on the dedication of the park.

SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

INVESTMENT GRADE AUDIT AGREEMENT:

Consider approval of an energy investment grade audit agreement with McKinstry Essention, LLC.

City Manager Gary Esplin recommended this item will be tabled for two weeks because he has not seen the final document. He explained that the Senior Citizen Center is controlled by the County and the Dixie Center's title is owned by the City and the County through a different name. He would like to wait until the next meeting to have a better understanding of the contract and also to see about including the Senior Citizen Center and the Dixie Center through a special agreement.

MOTION: A motion was made by Councilmember Almquist to table item 6D for two weeks or however long necessary.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

Councilmember Almquist declared that he won a bid for the next item. He then recused himself from the dias.

FINAL PLAT:

Consider approval of a final plat for Jiffy Lube at River Road.

City Manager Gary Esplin explained why this final plat is coming in after the building has already been built. There is no change from the preliminary plat.

Todd Jacobsen presented the final plat for Jiffy Lube at River Road, a one lot commercial subdivision located at 1393 South River Road, zoning is PD-C.

MOTION: A motion was made by Councilmember Bowcutt to approve the final plat for Jiffy Lube at River Road.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

ADJOURN TO RDA MEETING:

MOTION: A motion was made by Councilmember Almquist to adjourn to the RDA meeting.

SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

RECONVENE AND ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Almquist a property issue and potential litigation item.

SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

RECONVENE AND ADJOURN:

MOTION: A motion was made by Councilmember Almquist to reconvene and adjourn.

SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.